

Ronald L. Richman, SBN 139189
 Joye Blanscett, SBN 191242
 BULLIVANT HOUSER BAILEY PC
 601 California Street, Suite 1800
 San Francisco, California 94108
 E-mail: ron.richman@bullivant.com
 E-mail: joye.blanscett@bullivant.com
 Telephone: 415.352.2700
 Facsimile: 415.352.2701

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

BOARD OF TRUSTEES OF THE CEMENT
 MASONS HEALTH AND WELFARE TRUST
 FUND FOR NORTHERN CALIFORNIA;
 BOARD OF TRUSTEES OF THE CEMENT
 MASONS VACATION-HOLIDAY TRUST
 FUND FOR NORTHERN CALIFORNIA;
 BOARD OF TRUSTEES OF THE CEMENT
 MASONS PENSION TRUST FUND FOR
 NORTHERN CALIFORNIA; and BOARD OF
 TRUSTEES OF THE CEMENT MASONS
 TRAINING TRUST FUND FOR NORTHERN
 CALIFORNIA,

Plaintiffs,

vs.

F & M ENGINEERING CONTRACTORS,
 INC., a California corporation; and CLETUS
 MARION McCONVILLE, an Individual,

Defendants.

BOARD OF TRUSTEES OF THE
 LABORERS HEALTH AND WELFARE
 TRUST FUND FOR NORTHERN
 CALIFORNIA; BOARD OF TRUSTEES OF
 THE LABORERS VACATION-HOLIDAY
 TRUST FUND FOR NORTHERN
 CALIFORNIA; BOARD OF TRUSTEES OF
 THE LABORERS PENSION TRUST FUND
 FOR NORTHERN CALIFORNIA; and
 BOARD OF TRUSTEES OF THE
 LABORERS TRAINING AND RETRAINING
 TRUST FUND FOR NORTHERN
 CALIFORNIA,

Plaintiffs,

Case No.: C 07 0486 EDL

**STIPULATION TO CONTINUE CASE
 MANAGEMENT CONFERENCE;
 PROPOSED ORDER**

Date: October 9, 2007
 Time: 10:00 a.m.
 Ctroom: E, 15th Floor

Case No.: C-07 0487 EDL

1 vs.

2 F & M ENGINEERING CONTRACTORS,
3 INC., a California corporation; and CLETUS
MARION McCONVILLE, an Individual,

4 Defendants.

5
6 **STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE**

7 Plaintiffs Board of Trustees of The Cement Masons Health and Welfare Trust Fund for
8 Northern California; Board of Trustees of The Cement Masons Vacation-Holiday Trust Fund
9 for Northern California; Board of Trustees of The Cement Masons Pension Trust Fund for
10 Northern California; and Board of Trustees of The Cement Masons Training Trust Fund for
11 Northern California ("Cement Masons Trust Funds"), and Defendant Cletus Marion McConville
12 ("McConville") stipulate to and respectfully request that the court continue the Case
13 Management Conference in this matter currently set for October 9, 2007 at 10:00 a.m. for a
14 period of sixty (60) days.
15

16 The parties have reached a tentative settlement agreement in this case. The details of the
17 settlement are dependant however upon defendant resolving disputes with other third-party
18 creditors to this action. Defendant has made progress in this regard and plaintiffs have
19 presented defendant with a draft settlement agreement. The parties believe that a final
20 settlement can be reached and the settlement agreement fully executed in the next sixty (60)
21 days.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28

1 In addition to the foregoing, Defendant's counsel has a calendaring conflict with the case
2 management conference, which she has been unable to resolve. Accordingly, the parties request
3 that this court continue the case management conference in this matter.

4 IT IS SO STIPULATED:

5 DATED: September 27, 2007

6 BULLIVANT HOUSER BAILEY PC

7
8 By /s/ 
9 Joye Blanscett
10 Attorneys for Plaintiffs Cement Masons
Trust Funds

11 DATED: September 27, 2007

12
13 DIEMER, WHITMAN & CARDOSI, LLP

14
15 By /s/ _____
16 Judith L. Whitman
Attorneys for Defendant Cletus M. McConville

17 **[PROPOSED] ORDER**

18
19 Good cause appearing, it is so ORDERED that the case management conference
20 currently set for October 9, 2007 at 10:00 a.m. is continued to _ December 11, 2007 __, at
21 10:00 a.m. in Courtroom E, 15th Floor.

22 DATED: September 28, 2007

23
24
25 By _____
HON. _____
UNITED STATES JUDGE

